

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

MINUTES

The Board for Professional and Occupational Regulation met on Monday, March 8, 2010, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following members were present for all or part of the meeting:

Laurie Buchwald
James Demmel, Chair
Walter Fore
Deborah Icenhour
Heather Martin
William Alfred Tucker

Board members Elizabeth G. Cake and Daniel Nix were not present at the meeting.

The following staff was present for all or part of the meeting:

Jay W. DeBoer, Director
Mark N. Courtney, Deputy Director for Licensing and Regulation
Kathleen Nosbisch, Executive Director
Steven P. Jack, Assistant Attorney General
Mary Broz-Vaughan, Director of Communications, Legislation & Consumer Education
Eric Olson, Executive Director
Gary Jenkins, Investigator
Justin Garofalo, Board Administrator
Jill Richardson, Licensing and Education Administrator
Amy Goobic, Administrative Assistant
Andrea Overman, Executive Secretary

Mr. Demmel, Chair, called the meeting to order at 10:03 a.m.

Mr. Demmel introduced Ms. Icenhour and welcomed her to the Board. Mr. DeBoer introduced Andrea Overman, Executive Secretary; and Ms. Nosbisch introduced Justin Garofalo, Board Administrator. At this time, Mr. DeBoer also announced the resignation of Board Member Julie M. Clifford.

Mr. Demmel advised the Board of the emergency evacuation procedures.

Mr. Tucker made a motion to approve the agenda as presented and Mr. Fore seconded the motion, which was unanimously approved by members: Buchwald, Demmel, Fore, Icenhour, Martin, and Tucker.

Call to Order

Welcome & Introduction of New Board Member and new Board Staff

Emergency Evacuation Procedures

Agenda Approval

Mr. Fore made a motion to approve the November 16, 2009, minutes as amended. The minutes were amended to show that Heather Martin was not present at the November meeting. Ms. Buchwald seconded the motion, which was unanimously approved by members: Buchwald, Demmel, Fore, Icenhour, Martin, and Tucker.

**Approval of
Minutes**

There were no public comments made to the Board.

Public Comment

Mr. DeBoer welcomed the Board members and presented the Director's Report. The General Assembly is nearing adjournment with the House and Senate still in negotiations over the final budget. There is a "capturing" of DPOR cash balance reserves to be applied to the general fund.

**Jay W. DeBoer,
Director's Report**

There are 209 filled positions within DPOR with 65% staff working non-regular hours; 43% telecommuting on a regular basis; and 12% telecommuting sometime.

**Resignation of
Julie M. Clifford**

The new office construction on the first floor is complete with new and improved DPOR signage for the Customer Service area, which is now located on the 1st floor.

EAGLES is ready for the 2nd phase of release with the Board for Contractors beginning testing today. The 3rd phase is scheduled for release in 2012 with Real Estate and some smaller boards.

Discussion followed when Ms. Buchwald asked how to inform regulants that fees are going to the general fund, as licensees' fees are generally collected for regulation and no other purpose. Mr. DeBoer explained the budget document is public.

Mary Broz-Vaughan, Director of Communications, Legislation, and Consumer Education, gave the Board members an update on the 2010 General Assembly Session. Ms. Broz-Vaughan informed the members that there were more than 2800 bills introduced this session, and DPOR tracked more than 65 bills. Ms. Broz-Vaughan reviewed HB 1219, HB 1272, HB 1265, HB 596, and SB 665. Ms. Broz-Vaughan also noted HB 792/SB 474 will allow DPOR Boards to issue temporary 45-day licenses to applicants licensed in another state, while their application for a permanent license is in process. This supports Governor McDonnell's Job Creation/Economic Development legislative agenda.

**Mary Broz-
Vaughan,
Legislative
Director –
General Assembly
Report**

Eric Olson, Executive Director, gave a presentation on the Polygraph Examiners Advisory Board. This eight-member Board is an advisory Board only and does no policy making and has 250-300 regulants.

Eric Olson,
Executive
Director –
Polygraph
Examiners
Advisory Board

Mr. Jenkins, DPOR Investigator and past Polygraph Examiners Advisory Board member, gave a Polygraph Demonstration/Shared Experiences presentation. As Mr. Jenkins pointed out in his presentation and demonstration, the polygraph is a truth detector as well as lie detector and registers physical changes that are created by psychological changes. Mr. Jenkins conducted his demonstration with the assistance of Mr. DeBoer.

Gary Jenkins,
Investigator –
Department of
Professional and
Occupational
Regulation

A resolution for Julie M. Clifford recognizing her dedicated service to the Board was presented by Mr. DeBoer. Mr. Tucker made a motion to approve the adoption of this resolution and Mr. Fore seconded the motion, which was unanimously approved by members: Buchwald, Demmel, Fore, Icenhour, Martin, and Tucker. Ms. Clifford will be invited to the June 7, 2010, Board meeting for a presentation of the resolution.

Other Business
Adoption of
Resolution for
Board Member
Julie M. Clifford

A request was made by Ms. Buchwald to have the Board Academies posted to the Board-protected website for review and use by all Board members.

Mr. Fore moved to adjourn and Mr. Tucker seconded the motion, which was unanimously approved by members: Buchwald, Demmel, Fore, Icenhour, Martin, and Tucker. The meeting adjourned at 12:12 p.m.

Adjournment

James M. Demmel, Chair

Jay W. DeBoer, Director